

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Bardy

Serial No.: 10/042,402

Filed: 1/7/2002

Title: System And Method For Providing

Diagnosis And Monitoring Of Congestive Heart Failure For Use In

Automated Patient Care

Attorney Docket No.: 003.0254.US.CON

Commissioner for Patents Washington, D.C. 20231

Group Art Unit: 3762

Examiner:

Unassigned

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INFORMATION DISCLOSURE STATEMENT

Dear Sir:

This Information Disclosure Statement is submitted:

<u>X</u>	under 37 CFR 1.97(b), or
	(Within three months of filing national

(Within three months of filing national application; or date of entry of international application; or before mailing date of first office action on the merits; whichever occurs last)

- __ Statement under 37 CFR 1.97(e), or
- __ a \$180.00 fee under 37 CFR 1.17(p), or
- (After the CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)

__ under 37 CFR 1.97(d) together with a:

- __ Statement under 37 CFR 1.97(e), and
- __ a \$180.00 fee set forth in 37 CFR 1.17(p).

(Filed after final action or notice of allowance, whichever occurs first, but before payment of the issue fee)

X Applicant(s) submit herewith Form PTO 1449-Information Disclosure Citation together with copies, of patents, publications or other information of which applicant(s) are aware, which applicant(s) believe(s) may be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 CFR 1.56.

The relevance of the attached references is that this is the closest art of which Applicant is aware. Applicant submits that the above references taken alone or in combination neither anticipate nor render obvious the present invention. Consideration of the foregoing in relation to this application is respectfully requested.

It is requested that the information disclosed herein be made of record in this application.

Respectfully submitted,

The Law Offices of Patrick J.S. Inouye 810 3rd Avenue, Suite 258 Seattle, WA 98104 (206) 381-3900 (206) 381-3999

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Patrick J.S. Inouye, Es

Attorney/Agent for Applicant(s)

Reg. No. 40297

Date:

MAR 2 0 2003

Telephone No.: (206) 381-3900

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Under the Paper Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. 10/042,402 TRANSMITTAL Application Number **FORM Filing Date** Jan 7, 2002 (to be used for all correspondence after initial filing) **First Named Inventor** Bardy, Gust H. Group Art Unit 3762 **Examiner Name** Unassigned Total Number of Pages in This Submission Attorney Docket Number 020.0254.US.CON

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Substitut	e for form 1449A/P	ТО		Complete if Known						
				Application Number	10/042,402					
IN	FORMATION I	DISCL	OSURE	Filing Date	1/7/2002					
SI	TATEMENT BY	APP	LICANT	First Named Inventor	Bardy					
_ ((use as many sheet	ts as nec	cessary)	Art Unit	3736					
				Examiner Name	Unassigned					
Sheet	1	of	2	Attorney Docket Number	003.0254.US.CON					

		-	U.S. PATE	NT DOCUMENTS	•
Examiner	Cito	Cite Document Number Publication Date		Name of Patentee or	Pages, Columns, Lines, Where
	No.1	Number - Kind Code ² (if known)	MM-DD-YYYY	Applicant of Cited Document	Relevant Passages or Relevant Figures Appear
	<u> </u>	US-4974607	12/4/90	Miwa	
		US-5576952	11/19/96	Stutman	
		US-5743267	4/28/98	Nikolic	D _n
		US-5897493	4/27/98	Brown	ットつと
		US-6302844	10/16/01	Walker	1000
		US-6336900	1/8/02	Alleckson	APP VED
		US-6073046	6/6/00	Patel January	111
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		US-4531527	7/30/85	Reinhold, Jr. et al.	EUGKBY OF
		US-4809697	4/7/1989	Causey, III et al.	SENTED
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		US- 5724580	3/3/1998	Levin et al.	

	FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No.1	Foreign Patent Document Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear			
		EP 0 513 457	11/19/1992	Caliber Medical Corp		Τ		
	·	EP 0 34 2859	11/23/1989	Healthtech Services		T		
		WO 98/01742	2/19/1998	Cohen		-		
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Substitute	e for form 1449A/PTC)		Complete	e if Known
				Application Number	10/042,402
IN	FORMATION DI	SCL	.OSURE	Filing Date	1/7/2002
ST	ATEMENT BY	APP	LICANT	First Named Inventor	Bardy
(use as many sheets a	as ne	cessary)	Art Unit	3736
				Examiner Name	Unassigned
Sheet	2	of	2	Attorney Docket Number	003.0254.US.CON

			U.S. PATE	NT DOCUMENTS		
Examiner Cite Initials* No.1		Document Number Number - Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevan Figures Appear	
		US-5738102	4/14/1998	Lemelson		
		US-5772586	6/30/1998	Heinonen et al.		
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		US-6083248	7/4/2000	Thompson	16L 103	
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		US-6223078	04/24/2001	Marcovecchio		
]	US-5724983	3/10/1998	Selker et al.		

		FOREIG	N PATENT DOCU	JMENTS		
Examiner Initials*	Cite No.1	Foreign Patent Document Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T€
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RAD CHAPT		Application Number	10/042	
TRANSMITTAL		Filing Date	January 7, 2002	
FORM		First Named Inventor	Bardy, Gust H.	
(to be used for all correspondence after initial filing)		Art Unit	3762	
		Examiner Name	Unassigned	
Total Number of Pages in This Submission		Attorney Docket Number	020.02	254.US.CON
ENCLOSURES (check all that apply)				
Fee Transmittal Form		Drawing(s)		After Allowance communication to
Fee Attached		Licensing-related Papers		Group Appeal Communication to Board of
Amendment / Reply		Petition		Appeals and Interferences Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
After Final		Petition to Convert to a Provisional Application Power of Attorney, Revocation Change of Correspondence Address		Proprietary Information
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